

REMARKS

Claim 1-13, 15-17, and 19-27 are pending in the application. No claims have been amended.

Rejection Under 35 U.S.C. §102(e)

The applicants' pending claims have been rejected over Farcy et al. This rejection is overcome in view of attached Declaration, together with the following remarks.

As set forth in the accompanying Declaration, the inventors state that before December 3, 2002, the earliest effective date of Farcy et al., they gave a Technical Note to the CEA patent department. The Technical Note is attached to the Declaration as Exhibit A. Relevant portions of the Technical Note are translated into English and are attached as Exhibit B.

The Technical Note describes an integrated circuit and a method of fabricating a die (last figure) containing an integrated circuit that includes active components and passive components. (See, pg. 2, second paragraph; pg. 3, first paragraph "circuit intégré RF"). The method further includes producing a first substrate including at least one active component and producing a second substrate including critical passive components. (See, pg.3, section 1, and pg.3-4, section 2). The first and second substrates are bonded by performing a layer transfer. (See, pg.5, first paragraph and corresponding drawing). After bonding of the first and second substrates, at least one interconnection line is produced between the components of the first and second substrates, where the interconnection line passes through the second substrate. (See, pg.5, section E, and the figure on page 6 showing interconnection lines on the right hand side).

The inventors further state that, following their delivery of the Technical Note, French patent counsel for the CEA prepared a draft French patent application. This application was subsequently filed with the French Patent Office on June 24, 2003.

The French application referenced in the inventors' Declaration is French Patent application No. 0307617, which is the priority French application claimed in the applicants' corresponding PCT application no. PCT/FR04/01565.

The applicants assert that the Declaration and accompanying documents establish their prior conception of any subject matter of Farcy et al. considered relevant to their claimed invention. Accordingly, Farcy et al. should be removed.

Farcy et al. was first cited by the Examiner in the instant Office Action. Accordingly, in accordance with 37 C.F.R. §1.116(e), the applicants request entry and consideration of the accompanying Declaration. Should the Examiner find that the applicants' response does not place the application in condition for allowance, the Examiner is requested to contact the undersigned attorney by telephone at the number listed below.

The applicants have made novel and non-obvious contribution to the art of integrated circuits including active and passive components and to their fabrication. The claims at issue are distinguished over the cited references and are in condition for allowance. Accordingly, such allowance is now earnestly requested.

Respectfully submitted,

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